

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

ARTHUR W. HADEMAN III,)
Plaintiff,) CASE NO. C13-1493-JCC-MAT
v.)
CAROLYN W. COLVIN, Acting) REPORT AND RECOMMENDATION
Commissioner of Social Security,)
Defendant.)

Plaintiff brought this action to seek judicial review of the denial of an application for disability benefits by the Commissioner of the Social Security Administration. The parties now stipulate this case should be reversed and remanded for further proceedings. (Dkt. 21.)

Based on the stipulation of the parties, the Court recommends this case be REVERSED and REMANDED for further administrative proceedings pursuant to sentence four of 42 U.S.C. § 405(g). On remand, the Administrative Law Judge shall: (1) re-evaluate the nature, severity, and duration of the claimant’s medically determinable impairments in accordance with 20 C.F.R. § 404.1508-.1509, including obesity (Social Security Rulings 85-28 and 02-1p);

01 (2) if necessary, the ALJ may obtain medical expert evidence to assist in determining the
02 nature, severity, duration and limiting effects of plaintiff's impairments; and (3) if warranted,
03 the ALJ will proceed through the remaining steps of the sequential evaluation process (20
04 C.F.R. § 404.1520). The parties agree plaintiff may submit additional evidence and argument
05 on remand and that no aspect of the prior final decision is affirmed. Also, upon proper
06 application, the Court will consider plaintiff's application for attorneys' fees under the Equal
07 Access to Justice Act, 24 U.S.C. § 2412, *et seq.*

08 The Court recommends that United States District Judge John C. Coughenour
09 immediately approve this Report and Recommendation and order the case REVERSED and
10 REMANDED for further administrative proceedings pursuant to sentence four of 42 U.S.C. §
11 405(g). A proposed order accompanies this Report and Recommendation.

12 DATED this 8th day of May, 2014.

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15 Mary Alice Theiler
16 Chief United States Magistrate Judge
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